

Notice of Allowability

Application No.

09/641,248

Examiner

Naeem Haq

Applicant(s)

WOLF, PETER H.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/1/2005.
2. ☒ The allowed claim(s) is/are 1,3,6-12,14,15,17-20 and 51-75.
3. ☒ The drawings filed on 8/17/2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Response to Amendment

This action is in response to the Applicant's amendment filed August 1, 2005. Claims 1, 3, 6-12, 14, 15, 17-20, and 51-75 are pending and will be considered for examination.

Allowable Subject Matter

Claims 1, 3, 6-12, 14, 15, 17-20, and 51-75 are allowed.

The following is an examiner's statement of reasons for allowance: Statement of allowance is in reference to independent claims 1, 51, 59, and 64. All other claims are dependencies of these independent claims.

The present application is directed to a process for providing event photographs of sporting events over a computer network. Independent claims 1, 51, 59, and 64 recite the uniquely patentable step of informing the sporting participants of the identifying data.

Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Discussion of most relevant prior art:

The following references have been identified as the most relevant prior art to the claimed invention.

(i) US Patent 5,103,433 to Imhof. Imhof discloses a process for providing event photographs of a sporting event via a computer network (see previous Office Actions). However, Imhof does not teach or suggest the step of informing the sporting participants of the identifying data.

(ii) US Patent 6,504,571 B1 to Narayanaswami et al. hereafter referred to as Narayanaswami. Narayanaswami teaches a method for querying (i.e. searching) a database storing digital images. However, Narayanaswami does not teach or suggest the step of informing the sporting participants of the identifying data.

(iii) US Patent 3,890,463 to Ikegami et al. hereafter referred to as Ikegami. Ikegami discloses a process for providing event photographs of a sporting event (i.e. boat race). In addition, Ikegami discloses printing out a record of times taken by different participants to complete various numbers of laps of a circuit (col. 19, lines 30-36). However, Ikegami does not disclose or suggest that these times are made available to the participants (i.e. informing the sporting participants of the identifying data).

(iv) "The LaSalle Bank Chicago Marathon" retrieved from <http://www.chicagomarathon.com/2002/tier2/merchandise/marathonfoto.html> hereafter referred to as MarathonFoto. MarathonFoto discloses taking pictures at sporting events since 1982. However, MarathonFoto does not teach or suggest the step of informing a sporting participant of an identifying data.

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(v) Japanese Patent Number JP 2003348424 to SONY CORP. hereinafter referred to as SONY. SONY discloses a process for tracking the position of various players in a soccer game. This document was published after the Applicant's earliest priority date. Therefore, this document fails to qualify as prior art.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naeem Haq whose telephone number is (571)-272-6758. The examiner can normally be reached on M-F 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn W. Coggins can be reached on (571)-272-7159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Naeem Haq, Patent Examiner
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August 21, 2005



DAWN W. COGGINS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600